



# Austin City Council MINUTES

For NOVEMBER 14, 1985 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

## City Council

Frank C. Cooksey  
Mayor

John Treviño, Jr.  
Mayor Pro Tem

Council Members  
Mark Rose  
Smoot Carl-Mitchell  
Sally Shipman  
George Humphrey  
Charles E. Urdy

Jorge Carrasco  
City Manager

Elden Aldridge  
City Clerk

## Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the absence of Councilmember Shipman, who, he said, was out of town but would arrive in the Council Chamber at about 6:00 p.m.

## MINUTES APPROVED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, approved minutes for a special meeting of November 5, 1985 and regular meeting of November 7, 1985. (5-0 Vote, Councilmember Urdy out of the room, Councilmember Shipman absent.)

## CITIZEN COMMUNICATIONS

Ms. Sara Hendricks did not appear. Ms. Katherine Chappell discussed the capital recovery fee and asked for an amendment to the ordinance with a grandfather clause for homeowners who have been here a long time and are required to hook up to City lines. Mr. Kim Alan Williams, Mr. John B. Sanford and Mr. R. Scott Trull did not appear. Mr. Terry Irion discussed a special permit site plan appeal, C14p-85-034. He was told there will be an item on the November 21, 1985 agenda to set a public hearing for December 12, 1985.

## CONSENT ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Treviño's second, waived the requirement for three readings and finally passed the

following ordinances in one consent motion: 6-0 Vote, Councilmember Shipman absent, unless otherwise indicated.

Loop 360 Moratorium

Extended Loop 360 Moratorium until December 5, 1985. (5-0 Vote, Councilmember Rose abstained, Councilmember Shipman absent.)

Item Postponed

Postponed indefinitely was consideration of revisions to the North Austin MUD Land Plan and amendments to the consent agreement.

Industrial Waste Permit Holders

Amended Austin City Code Section 12-2-80 to 12-2-126 to provide for administrative procedure & remedies for violations committed by industrial waste permit holders and providing for hearings to discipline septic tank hauler permit holders under Code Section 6-10-70 for violations of the code.

Septic Tank Haulers

Amended Austin City Code Section 6-10-70 to provide administrative procedures and remedies for discipline of septic tank hauler permit holders for violations of code.

Council Meetings Cancelled

Cancelled the November 28, December 26, 1985 and January 2, 1986 Council meetings.

Speed Zones

Amended the Austin City Code to modify the following speed zones:

SECTION 11-2-100 (c) 45 MPH

Delete: West William Cannon Drive from 200 feet west of West Gate Boulevard (2600 Block) to Brodie Lane (3400 Block).

SECTION 11-2-100 (b) 40 MPH

Add: West William Cannon Drive from 200 feet west of West Gate Boulevard to Brush Country Drive.

SECTION 11-2-100 (a) 35 MPH

Add: Matthews Lane from Cooper Lane to Twisted Oaks Drive.

SECTION 11-2-100 (c) 45 MPH

Delete: Brodie Lane from north City limits (Barnockburn Drive) to south City limits (365 feet south of Plantation Road).



## NORTH CENTRAL AUSTIN GROWTH CORRIDOR MUD NO. 1

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed an ordinance approving the terms, conditions, covenants of the Bond Resolution of the North Central Austin Growth Corridor Municipal Utility District No. 1 authorizing the issuance of approximately \$58,965,000.00 North Central Austin Growth Corridor Municipal Utility District No. 1, City of Austin, Texas Contract Revenue Bonds. (6-0 Vote, Councilmember Shipman absent.)

## SOUTH AUSITN GROWTH CORRIDOR MUD #1

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, approved the terms, conditions and covenants of the Bond Resolution of the South Austin Growth Corridor MUD #1. (6-0 Vote, Councilmember Shipman absent.)

## ARCHERY AND SKEET RANGES

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, passed through FIRST READING ONLY of an ordinance amending Article IV of Chapter 8-3 and Section 9-1-4 of the Austin City Code of 1981, establishing regulations for the issuance of permits for the operation of archery ranges and facilities where firearms are discharged, authorizing the discharge of firearms at an approved shooting facility, providing for severability. (6-0 Vote, Councilmember Shipman absent.)

Prior to the vote, Mayor Cooksey stated "At my request some language was drafted adding a provision prohibiting the use of automatic weapons."

Ronald Hill, chairman of Capital City Trap & Skeet Club, said the ordinance was just received by them and they find some things that maybe in conflict regarding the current law concerning their operation. He asked that they be given time to consult with the City Attorney on items they find either technically wrong or possibly in conflict with current regulations or City ordinances.

Al Golden, representing Jester Estates Neighborhood Association, said the rifle range on RR 2222 is a danger to their neighborhood. He asked Council to enact the ordinance and then if Mr. Hill has problems it can be amended later.

Mr. Jordan, Director of Parks and Recreation, discussed the long term lease the City has with the Skeet and Archery Club on Lake Long property and the indoor rifle range behind the Daugherty Arts Center but Mr. Jordan said they think they can meet the requirements of the ordinance.

Mayor Cooksey asked Mr. Hill what the problems were with the ordinance. Mr. Hill said that gun shops and gunsmiths will also be affected by the ordinance.

Councilmember Rose said the purpose of the ordinance was to get some basic regulations in place to regulate firearm and archery ranges throughout Austin, existing and proposed, so they are constructed in a safe manner. "It was not proposed by me to be a general gun control ordinance for the City of Austin. I think we need to take the time to go through all of that and perhaps do a little more than I intended. Perhaps the best thing to do is pass the ordinance on first reading and schedule it next week for final action. He told Mayor Cooksey he would like to talk to him concerning his proposed amendment.

#### AUDIT AND FINANCE COMMITTEE

Council had before them an ordinance establishing the Audit and Finance Committee.

Mayor Cooksey said he wondered about some amendments. "One is on the first page which says 'and shall make such comments and recommendations to the City Manager or the City Council.' I would prefer that it read that we delete the word 'to the City Manager' because I think the way this should work is that this commission should make recommendations to the Council and whatever recommendations made to the Manager should be made by the full Council." Councilmember Rose said he agreed with that. Mayor Cooksey went on to explain, "On the last page it says the City Manager shall be responsible for the committee's agenda. I think I would like to see here that any member of the Council may place an item on the agenda." Councilmember Rose said he agreed with that also.

#### Motion

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance with the two amendments stated above, establishing the Audit and Finance Committee. (6-0 Vote, Councilmember Shipman absent.) (Item to be included in 11-21-85 agenda to have a fourth member on the committee.)

#### RECESS

Council recessed its meeting at 2:30 p.m. for a meeting of the Austin Industrial Development Corporation and resumed its recessed meeting at 2:47 p.m.

## CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion: (6-0 Vote, Councilmember Shipman absent.)

Capital Improvements Program

Approved the following change order:

- a. In the amount of \$130,721.17 to Peabody Southwest, Inc. for improvements at the Govalle Wastewater Treatment Plant. (0.68% increase in the original contract price)  
CAPITAL IMPROVEMENTS PROGRAM No. 73-23/83.

Contracts Approved

Approved the following contracts:

- |  |   |
|--|---|
| <p>ROYCE PROCESS EQUIPMENT COMPANY<br/>4206 Rice Dyer Road<br/>Pearland, Texas</p>               | <p>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Three (3) Traveling Water Screens,<br/>Water and Wastewater Utility<br/>Department<br/>Total \$211,134.00 C.I.P. 73/22-98</p> |
| <p>LEWIS CONTRACTOR (WBE)<br/>P. O. Box 19505<br/>Austin, Texas</p>                              | <p>- CAPITAL IMPROVEMENTS PROGRAM -<br/>Davis Water Treatment Transmission<br/>Main Phase III, Water &amp; Wastewater<br/>Department<br/>Total \$1,490,900.00</p>     |
| <p>INDUSTRIAL INTERNATIONAL, INC.<br/>5106 Commercial Park Drive<br/>Austin, Texas</p>           | <p>- Concrete Water Meter Boxes and<br/>Lids, Water and Wastewater<br/>Department<br/>Twelve (12) Month Supply Agreement<br/>Items 1-4 - \$96,528.00 85-0499-JB</p>   |
| <p>TECHLINE, INC.<br/>8750 Shoal Creek Boulevard<br/>Austin, Texas</p>                           | <p>- Galvanized Street Light Poles,<br/>Electric Utility Department<br/>Item 1 - \$100,544.00 85-0485-JB</p>  |
| <p>Bid award:</p>  | <p>- Captive Repair Parts, Vehicle and<br/>Equipment Services Department<br/>Twelve (12) Month Supply Agreement<br/>Total \$96,000.00 85-0445-JB</p>                  |
| <p>(1) AUSTIN DIESEL, INC.<br/>1909 Smith Road<br/>Austin, Texas</p>                             | <p>- First back-up source for Item 4</p>  |
| <p>(2) CENTRAL TEXAS DIESEL<br/>INJECTION SERVICE<br/>3500 East 5th Street<br/>Austin, Texas</p> | <p>- First back-up source for item 3</p>  |

TOM FAIREY COMPANY - First back-up source for Item 2  
5005 East 7th Street  
Austin, Texas

GALLAGHER EQUIPMENT COMPANY - Item 2  
1101 Research Boulevard  
Austin, Texas

LEIF JOHNSON FORD TRUCK CITY - Item 1 & second back-up for Items  
502 East Ben White Boulevard 3 & 4  
Austin, Texas

LONGHORN INTERNATIONAL - Items 3 & 4  
EQUIPMENT COMPANY  
4411 East 7th Street  
Austin, Texas

MUNCIE RECLAMATION & SUPPLY - Back-up source for Item 4  
COMPANY, INC.  
1208 E. Centennial Avenue  
Mucie, Indiana

MUSTANG TRACTOR & EQUIPMENT - Back-up source for Item 1  
COMPANY  
12800 Northwest Freeway  
Houston, Texas

#### Item Postponed

Postponed indefinitely consideration of consent to the execution by Williamson County MUD No.2 of an agreement between the MUD and Hyland Joint Venture, Hyland North Joint Venture and Highland Management, Inc. for the acquisition of wastewater treatment capacity in the Brushy Creek Regional Wastewater Treatment System for the Brushy Creek North Subdivision.

#### Standard Utility Agreement

Authorized the City Manager to enter into a Standard Utility Agreement on behalf of the City of Austin with the State Department of Highways and Public Transportation for utility relocation for Highway 290, east from Cameron Road, east to U.S. Highway 183.

#### Grant Application

Authorized submission of a grant application to the John A. Hartford Foundation in the amount of \$138,550 to operate a drug utilization review program for specified medical assistance program clients.

Joint Venture - 401 Camp Craft Road

Approved an inducement resolution by Austin Industrial Development Corporation for Industrial Revenue Bonds for financing the Insurance Companies Joint Venture Project to be located at 401 Camp Craft Road, in the amount of \$8,500,000.00.

Public Hearings Set

Set public hearings on the following:

- a. Required Commercial Project and TEFRA hearings on the East Sixth Street Mercado Joint Venture Project: December 5, 1985 at 3:45 p.m.
- b. Two hearings regarding Austin Industrial Development Corporation financing of a commercial project at 401 Camp Craft Road.
  - (1) Designating a development area: December 5, 1985 at 3:30 p.m.
  - (2) TEFRA/Commercial Project: December 5, 1985 at 3:45 p.m.
- c. Two hearings regarding Texas Small Business Industrial Development Corporation financing of a commercial project at 3036 South First Street.
  - (1) Designating a development area: December 5, 1985 at 3:30 p.m.
  - (2) Commercial Project: December 5, 1985 at 3:45 p.m.

Austin Interim Wastewater Strategy

Approved a construction contract for 13.5 MGD Interim Expansion of the Walnut Creek Wastewater Treatment Plant for the Water and Wastewater Utility as part of Austin Interim Wastewater Strategy". (\$5,235,000.00) CAPITAL IMPROVEMENTS PROGRAM No. 82/23-81.

Electric Rate Matters

Retained the law firm of Bickerstaff, Heath and Smiley to assist the City Attorney's Office in electric rate matters.

CONTRACT APPROVED

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, approved the following contract:

PAVEMENT SPECIALISTS, INC.  
4405 Reese Drive  
Irving, Texas

- CAPITAL IMPROVEMENTS PROGRAM  
Construction of Runway 13R-31L  
Pavement grooving at Robert Mueller  
Municipal Airport Aviation  
Department  
Total \$128,812.50 C.I.P. No.  
84/81-07

CONTRACTS APPROVED

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, approved the following contracts: (6-0 Vote, Councilmember Shipman absent)

LEBCO CONSTRUCTORS  
5000 East Ben White, Suite 101  
Austin, Texas

CAPITAL IMPROVEMENTS PROGRAM -  
Construction of ground service  
equipment maintenance facility  
at Robert Mueller Airport,  
Aviation Department  
Total \$1,279,164.00 C.I.P. No.  
84/81-07

WALKER PROCESS CORPORATION  
840 North Russell Avenue  
Aurora, Illinois

CAPITAL IMPROVEMENTS PROGRAM -  
Six solids contact clarifier  
mechanisms for Albert H. Ullrich  
Water Plant, Water and Wastewater  
Department  
Total \$2,467,000.00 C.I.P.  
73/22-98

CONTRACT APPROVED

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, approved the following contract: (6-0 Vote, Councilmember Shipman absent.)

BYRON JACKSON PUMP DIVISION  
8204 Elmbrock Drive Suite 187  
Dallas, Texas

CAPITAL IMPROVEMENTS PROGRAM -  
Two 40 MGD and two 30 MGD  
Vertical Turbine Pumps for Albert  
H. Ullrich Water Treatment Plant,  
Water and Wastewater Utility  
Total \$1,403,130.00 C.I.P. No.  
73/22-98

RECESS

Council recessed its meeting from 3:40 p.m. to 3:55 p.m.

**PUBLIC HEARING - APPEAL OF A DEMOLITION ORDER**

Mayor Cooksey opened the public hearing set for 3:00 p.m. on an appeal of demolition order issued by the Building Standards Commission for 2504 Walter Street (rear). The Mayor noted the appellant was not present in the Council Chamber. He told staff to call and find out where she was.

**LATER IN THE DAY:** Mayor Cooksey announced the appellant had received proper notice of her hearing and her attorney has the receipt for receiving her notice. However, she had asked her hearing to be rescheduled again. Council agreed to postpone the hearing until November 21, 1985 at 4:15 p.m.

**PUBLIC HEARINGS ON APPEALS SET**

Mr. Thomas Miner appeared before Council to request setting a public hearing on an appeal of the Planning Commission's decision regarding 6705-6713 Manor Road. File No. C14p-085-010. Council requested this be brought back on November 21, 1985 as an item to set a public hearing, possibly for January 9, 1985.

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, approved the request of Ms. Linda Salinas to set a public hearing on an appeal of the Planning Commission's decision regarding Congress 25 LTD. File No. C14p-85-033 on December 5, 1985 at 3:15 p.m.

**PUBLIC HEARINGS POSTPONED**

Mayor Cooksey announced the public hearings scheduled for 2:30 p.m. on Texas Small Business Industrial Development Corporation financing of a commercial project at 2001-2003 South First Street has been postponed as follows:

- a. Designating a Development Area: December 5, 1985  
at 3:30 P.M.
- b. TEFRA/Commercial Project: December 5, 1985  
at 3:45 p.m.

**PUBLIC HEARING - RE-DESIGN OF AUSTIN NATURE CENTER**

Mayor Cooksey opened the public hearing set for 4:00 p.m. on re-design development site plan for the Austin Nature Center.

Charles Jordan, Director of Parks and Recreation, reviewed the plan and slides were shown.

Motion

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, closed the public hearing and approved the re-design development site plan for the Austin Nature Center. (6-0 Vote, Councilmember Shipman absent.)

## ZONING HEARING POSTPONED

The Council postponed the following zoning hearing until December 5, 1985 at 4:00 p.m.:

|      |                 |                   |                               |
|------|-----------------|-------------------|-------------------------------|
| r-85 | ALFRED LEHTONEN | 5610-5800 Capital | From "I-SF-2" & "SF-2"        |
| 044  | By Miguel       | of Texas North    | To "GO"                       |
|      | Guerrero        |                   | RECOMMENDED                   |
|      |                 |                   | POSTPONED TO 12/5/85 @ 4 P.M. |

## ZONING HEARING

Mayor Cooksey opened the public hearings scheduled for 4:00 P.M. on the following zoning cases. Council heard, closed the public hearings and either approved the ordinance, approved on First Reading Only, postponed cases to future dates, or withdrew the case. Action concerning each case follows:

|     |                   |               |                           |
|-----|-------------------|---------------|---------------------------|
| -85 | VILLA ON TRAVIS,  | 2918 F.M. 620 | From "I-RR"               |
| 264 | INC.              |               | To "SF-6"                 |
|     | By David Armbrust |               | RECOMMENDED               |
|     |                   |               | <u>ORDINANCE APPROVED</u> |

(On Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, 6-0 Vote, Councilmember Shipman absent.)

Related Ordinance: The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance exempting the property in Zoning Case No. C14-85-264 (Villa on Lake Travis, Inc.; 2918 F.M. 620) from development regulations contained in Ordinance No. 840308-K (Interim Lake Travis Watershed Ordinance), subject to approved site plan. (6-0 Vote, Councilmember Shipman absent.)

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|     |                                |                           |  |
|-----|--------------------------------|---------------------------|--|
| -83 | NASH PHILLIPS/<br>COPUS (part) | 5503-5317 McCarty<br>Lane | From "I-AA" 1st H&A<br>To "SF-6"   |
|     | By Bruce N. Sloan              |                           | RECOMMENDED (as amended)   |
|     |                                |                           | Tract 7 "B" 1st H&A<br>(154 units) subject to<br>up to 40' of right-of-way from<br>centerline of Beckett Road. |

GRANTED WITH CONDITIONS: (1) Restrictive covenant no more than "BB" with 88 units;  
(2) Site plan to be submitted.

Marie Gaines reviewed and said the applicant has met with the neighborhood and agreed upon 88 units as opposed to 184 in the original request. A restrictive covenant has been proposed and the neighborhood and applicant are in agreement to "BB" subject to 88 units.

Mr. Jack Morton, representing the applicant, read the following into the record:

"This letter is addressed to Mr. Phil Evans who is president, Western Oaks Neighborhood Association. This letter is intended to set forth the criteria that our firm's client, Dynamic Investments is willing to agree to regarding the proposed development of Western Oaks Tract 3A which is pending before the City Council on November 14, 1985. By this letter, Dynamic Investments agrees to develop property as a condominium project consisting of 88 single story units of which the facade would be 80% masonry. This zoning will be conditioned upon approval of the site plan which substantially complies with that which is attached hereto as 'Exhibit A' by the City staff in a normal review process of site plans. It is further agreed that all dumpsters shall be internal to the tract and each unit shall have an enclosed garage. The rest of the letter is a description of the process we envision this case taking which states that the final zoning ordinance will not be read until the site plan has been submitted for review and approval to the City staff. The site plan that was attached to the letter shows that it is laid out in single story with access onto McCarty Lane and the proposed extension of William Cannon. There is also a curb cut on Beckett Road. The exact location of the curb cut is something we have agreed to work on with the neighborhood group and Urban Transportation staff and try to offset it from an existing roadway on Beckett. Depending on the feelings of Urban Transportation, we want to put it at a location the neighborhood finds acceptable. This letter was signed by Mr. Evans and several members of a five member steering committee that we have been working with and we request you pass the zoning subject to site plan approval and terms of this letter agreement."

Joan Wells, Western Oaks Neighborhood Association representative, told Council tracts 1-5 have already been designated "SF" single family. She said they support tract 7 as "SF-6" but prefer tract 6 to remain single family.

(On Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, 6-0 Vote, Councilmember Shipman absent.)

r-85 KALLESTAD F.M. 2222 & McNeil  
023 LABORATORIES, INC. Road Ext.  
By David B.  
Armbrust

From "I-SF-2"  
To "R&D"  
RECOMMENDED subject  
to 60 feet of right-  
of-way from centerline  
of F.M. 2222.

GRANTED

Marie Gaines reviewed. She said a PDA agreement is required and it will be brought back for ordinance reading. She also said this complies with the land use of the Northwest Plan.

David Armbrust, representing the applicant, told Council the user site will be low intensity with 75-100 employees.

(On Councilmember Rose's motion, Mayor Pro Tem Trevino's second, 6-0 Vote, Councilmember Shipman absent.)

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|             |   |                               |   |
|-------------|---|-------------------------------|---|
| r-85<br>144 | MORRIS-CROW JOINT<br>VENTURE<br>By David C.<br>Boderman | 10127-10225 Research<br>Blvd. | From "GR"<br>To "CH"<br>RECOMMENDED subject to<br>note on site plan to<br>prohibit issuance of<br>Bldg. Permit on Phase<br>IV unless existing<br>traffic on 183/Loop<br>360 bridge is at level<br>of service D or better,<br>and limited to 1.0-1.0<br>FAR. |
|-------------|---|-------------------------------|---|

Transit recommendations are to be forwarded to the Highway Department.

FIRST READING ONLY

|             |   |                             |   |
|-------------|---|-----------------------------|---|
| r-85<br>145 | 2-K REAL ESTATE<br>By David Armbrust/<br>David Boderman | 9447-9719 Research<br>Blvd. | From "I-SF-2"<br>To "CH & CS"<br>RECOMMENDED subject to a<br>note on site plan to pro-<br>hibit issuance of Bldg.<br>Permit on Phase IV unless<br>existing traffic on 183 Loop<br>360 bridge is at level of<br>service D or better, and<br>limited to 1.0-1.0 FAR |
|-------------|---|-----------------------------|---|

FIRST READING ONLY

|             |   |                              |   |
|-------------|---|------------------------------|---|
| r-85<br>146 | STONEBRIDGE MALL<br>LTD.<br>By David Boderman | 9721-10125 Research<br>Blvd. | From "I-SF-2 and GR"<br>To "CH"<br>RECOMMENDED subject to<br>a note on site plan<br>to prohibit issuance<br>of building permit on<br>Phase IV unless<br>existing traffic on<br>183/Loop 360 bridge<br>is at level of service<br>D or better, and<br>limited to 1.0-1.0 FAR. |
|-------------|---|------------------------------|---|

FIRST READING ONLY

r-85 Z-K-F/CROWN JOINT Intersection of  
 147 VENTURE U.S. 183 & proposed  
 By David C. extension of Mopac  
 Boderman Boulevard

From "I-SF-2"  
 To "CH"  
 RECOMMENDED subject to a  
 note on site plan to pro-  
 hibit issuance of building  
 permit on Phase IV unless  
 existing traffic on 183/Loop  
 360 bridge is at level of  
 service D or better, and  
 limited to 1.0-1.0. FAR.

FIRST READING ONLY

Marie Gaines reviewed the four preceding cases together. She said the PDA will be a 5.6 million square foot mixed retail/light industry project. Improvements to the roadways are scheduled on a time phase project. The 360/183 interchange will be redesigned.

Allen Brecher, Director of Urban Transportation, discussed what will be done at the intersections. Councilmember Humphrey said he is concerned with the increase in traffic.

Nick Brown, Balcones Civic Association, said the area should be kept well planned and the association approves of the venture.

Both Councilmember Rose and Councilmember Carl-Mitchell said the project is a good choice for the area.

(On Councilmember Rose's motion, Councilmember Carl-Mitchell's second, 5-1-0 Vote, Councilmember Humphrey voted No, Councilmember Shipman absent.)

CONTRACT APPROVED

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, adopted a resolution approving the following contract: (5-0 Vote, Councilmember Rose out of the room.)

IBM CORPORATION  
 505 Barton Springs Road  
 Austin, Texas

- 120 CPS Dot Matrix Printers, Color  
 Graphics Dot Matrix Printers,  
 Control Unit Displays, and Display  
 Station, Communications Department  
 Twelve Month Supply Agreement  
 Total \$543,855.00 85-S788-KM  
 85-S789-LI, 85-S792-KM, 85-S79-KM

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At this point, Councilmember Shipman entered the Council Chamber.

## REVENUE BONDS

Motion

The Council, on Councilmember Rose's motion, Councilmember Urdy's motion, passed through FIRST READING ONLY of an ordinance authorizing the issuance of the City of Austin, Texas Combined Utility Systems Revenue Bonds, Series 1985A. (4-2-0 Vote, Councilmembers Carl-Mitchell and Humphrey voted No, Mayor Cooksey abstained.)

Motion

Mayor Pro Tem Trevino made a motion, seconded by Councilmember Rose to reconsider. Motion passed by a vote of 7-0.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance authorizing the issuance of the City of Austin, Texas Combined Utility Systems Revenue Bonds, Series 1985A. (7-0 Vote)

## EXECUTIVE SESSION

Mayor Cooksey announced Council would enter into an executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss the following matters; and action, if any, on the matters will be taken during the public meeting after the conclusion of the executive session:

- a. Lease of Real Property - Municipal Office Complex -  
Section 2, Paragraph f.
- b. Executive Air Park - Section 2, Paragraph f.
- c. Pending Litigation, including but not limited to:
  - (1) Houston Lighting and Power Company, et al, vs. Brown and Root, et al in Matagorda County, and City of Austin vs. Houston Lighting and Power Company in Travis County - Section 2, Paragraph e.
  - (2) Charles Marsh vs. City of Austin et al - Section 2, Paragraph e.

## RECESS

Council recessed for executive session at 6 p.m. and resumed its recessed meeting at 6:50 p.m.

## ZONING HEARING CONTINUED

The Council continued until November 21, 1985 at 3:45 p.m. the following zoning case hearing:

|      |                                     |                    |   |
|------|-------------------------------------|--------------------|---|
| r-85 | LARRY NIEMANN                       | 157180-16022 North | From "I-SF-2"                             |
| 015  | By Kristaponis,<br>Gregory & Assoc. | IH-35              | To Tr. 1 "LI"<br>Tr. 2 "CS"<br>Tr. 3 "CS" |

RECOMMENDED subject to 120 feet of right-of-way for Arterial 2 and compliance with PRA ordinance site plan requirement for Tract 3 prior to passage of ordinance on entire site.

Councilmember Shipman asked staff to research the deed restrictions.

## ZONING HEARINGS

Mayor Cooksey announced Council would hear zoning cases scheduled for 6:30 and 7:00 p.m. Council heard, closed the public hearings when appropriate, and dispensation of each case is noted.

|     |                   |               |  |
|-----|-------------------|---------------|--|
| -84 | AUSTIN TOWN LAKE  | 101-303 South | From "L" & "C-2" (CS-1)  |
| 434 | VENTURE           | Congress      | To "C-2" 4th (CS-1) for<br>building pad, plaza<br>and terrace, "C-2" 2nd<br>(CS-1) and "L" for balance.                                    |
|     | By David Armbrust |               | RECOMMENDED subject to 40<br>feet of right-of-way from<br>centerline Miller Lane and<br>dedication of easement for<br>Hike and Bike Trail. |

Marie Gaines reviewed, She said there are three issues regarding this proposal. Debated will be the FAR (floor area ratio) and whether or not the intensity of the building site is reasonable. She said the applicant is seeking 3.4 FAR which is 875,294 square feet. Traffic will also be a consideration.

David Armbrust representing the applicant appeared and explained the proposal. He said a site plan had been submitted last spring, but site plan presently under consideration is less dense.

Walter Timberlake, president, Austin Chapter AFL-CIO, spoke in favor of the project because local construction workers need jobs. The following members of the union spoke in favor of the project:

Mark Mullen, Jason Justice, Joan Cannon Keith Nelson, and Jerry DeLeon.

The following people spoke against the project saying it was too dense, there was not good ingress and egress and there will be a traffic problem: Brooks Kasson, Cynthia Valadez, Jackie Goodman, Richard Gravois, Larry Akers, Jack Goodman, Glenna Balch, Jean Mather, James Austin Pinedo, Brian Dudley, Susan Frost, Mariam Blum & David Smith.

David Armbrust appeared in order to summarize and said the project is a good one. He said his client has been in the process for the development for one year and has \$25-million invested in the land. Mr. Armbrust said the rules for zoning and building constantly change in Austin. As a result, Austin is getting a bad reputation.

Councilmember Shipman expressed concern regarding more traffic at the intersections. She did not think the area would be safe.

#### Motion

Councilmember Carl-Mitchell made a motion to pass through FIRST READING ONLY the Planning Commission recommendation on the zoning and added the community facilities agreement on the roadway improvements. Councilmember Rose seconded the motion.

Councilmember Carl-Mitchell explained the motion includes the right-of-way on Miller Lane, dedication of easement for hike and bike trail and community facilities recommendation and the change to 4th H&A for the building pad.

----- Motion passed by a vote of 7-0. -----

p-84 AUSTIN TOWN LAKE 101-303 South  
108 VENTURE Congress  
By David Armbrust

CITY MANAGER TO NEGOTIATE  
EXTENSION OF MILLER STREET

878, 427 sq. ft. of office, hotel, retail, bar and restaurant.  
EXISTING ZONING: "C-2" 2nd (CS-1) and "L"  
PROPOSED ZONING: "C-2" 4th (CS-1), "C-2" 2nd (CS-1) and "L"  
RECOMMENDED subject to 40 feet of right-of-way from centerline Miller Lane dedication of easement for Hike and Bike Trail, FAR limited to 3.2, additional parking spaces as determined by staff (at least 60 for health center) sidewalk on Miller, and intersection improvements.

CONTINUE TO 11/21/85 @ 7 P.M.

Motion - FAILED

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Humphrey to approve 2.5 FAR and the rest of the Planning Commission recommendation plus the Parks Board recommendation for a 150' set-back on Town Lake. Motion FAILED by a vote of 3-4 with Councilmember Rose, Shipman, Urdy and Mayor Pro Tem Trevino voting No.

Motion - DIED FOR LACK OF SECOND

Councilmember Shipman made a motion to deny the special permit. Motion died for lack of a second.

Motion - DIED FOR LACK OF SECOND

Councilmember Humphrey made a motion to approve 2.5 FAR subject to traffic improvements. Motion died for lack of a second.

Motion

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Shipman to approve 150' setback, 2.5 FAR, subject to access from Miller Street from Riverside Drive.

Substitute Motion

Councilmember Rose offered a substitute motion to continue the public hearing to November 21, 1985 at 7:00 p.m.

Friendly Amendment to Substitute Motion

Councilmember Shipman offered a friendly amendment to the substitute motion that the City Manager enter into negotiations for a street through the area with public access from Congress and Riverside. Councilmember Rose accepted the friendly amendment with the stipulation that the owner of Miller Street cannot be compelled to release his street to the City.

Roll Call on Substitute Motion  
With Friendly Amendment

7-0 Vote

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-84 LARRY STRICKLAND  
235 TRUSTEE  
By Donna  
Kristaponis

501-503 East River-  
side

From "B", 2nd (MF-4)  
To "O-1", 1st (LO)  
RECOMMENDED (as amended)  
subject to site plan and  
prohibit access to Sunny  
Lane.  
DENIED

Richard Suttle, representing the applicant, asked Council to approve the zoning change.

Several neighborhood representatives spoke in favor of the office building, which they thought would enhance their property. They were: Curtis Wendler, Beatrice Townsly, Don Dial, Martin Malcolm.

Claudette Lowe, Brian Dudley, Brooks Kason, David Smith all spoke against the office building.

(On Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, 5-2 Vote, Mayor Pro Tem Trevino and Councilmember Rose voted No.)

-85 HERBERT H.  
189 BRACKMAN

307, 501-505  
Provines Drive

From "I-SF-2"  
To "CS"  
NO RECOMMENDATION

PROCEED WITH IMPLEMENTATION  
OF NEIGHBORHOOD STUDY

(On Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, 7-0 Vote)

-85 KENNETH D. & NOLA  
190 ARNOLD

500-506 Provines  
Drive

From "I-SF-3"  
To "CS"  
NO RECOMMENDATION

PROCEED WITH IMPLEMENTATION  
OF NEIGHBORHOOD STUDY

(On Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, 7-0 Vote)

CITY MANAGER REPORTS

City Manager Carrasco presented the Bi-weekly Water/Wastewater Status Report.

Tim Ward, Director of Aviation presented the report on the Executive Air Park. He spoke against the purchase at this time as it is too small and there will be an air conflict with Bergstrom and Robert Mueller.

Jim Bassett, Texas Pilot's Association representative, was recognized. He spoke in favor of the purchase of Executive Air Park by the City.

ADJOURNMENT

Council adjourned its meeting at 12 midnight.